

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claim 1 is currently pending. Claim 1 has been amended by the present amendment. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, the specification was objected to as failing to provide antecedent basis for Claim 1; Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,100,784 to Takemoto et al. (hereinafter “the ‘784 patent”); Claim 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,627,015 to Takemoto et al. (hereinafter “the ‘015 patent”); Claim 1 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 4 of the ‘015 patent; and Claim 1 was objected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over Claim 4 of the ‘015 patent in view of the ‘784 patent.

Amended Claim 1 is directed to a method of adhering a first member to a second member via an intermediate member, the method comprising: (1) positioning the first member and the second member relative to each other; (2) applying a first adhesive to a first surface destined to comprise a first interface between the first member and the intermediate member; (3) applying a second adhesive to a second surface destined to comprise a second interface between the second member and the intermediate member; (4) contacting the first member to the intermediate member via the first adhesive to form the first interface; (5) contacting the second member to the intermediate member via the second adhesive to form the second interface; and (6) curing the first adhesive and the second adhesive such that the intermediate member, but not the first and second members, can move due to shrinkage of at

least one of the first adhesive and the second adhesive. Further, amended Claim 1 recites that after curing, the first member and the second member are fixed to the intermediate member and therefore fixed to each other. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

Applicants respectfully submit that the objection to the specification is rendered moot by the present amendment to Claim 1. Claim 1 has been amended to no longer recite the term “free state” and support for the amendment to Claim 1 has been provided above. Accordingly, the objection to the specification is believed to have been overcome.

Regarding the rejection of Claim 1 as anticipated by both the ‘784 and ‘015 patents, Applicants note that those references include a common specification. In particular, the ‘015 and ‘784 patents are directed to construction method for mounting an ink-jet head assembly to an ink-jet printer, where intermediate members are positioned between each head and a head holder and the intermediate members are fixed to the head by an adhesive and fixed to the head holder by an adhesive. However, Applicants respectfully submit that the ‘015 and ‘784 patents fail to disclose the steps of curing the first adhesive and the second adhesive such that the intermediate member, but not the first and second members, can move due to shrinkage of at least one of the first adhesive and the second adhesive, as recited in Claim 1. As shown in Figure 21 of the ‘015 and ‘784 patents, the head is configured to move in both a vertical and horizontal direction due to shrinkage of the adhesives 85a, 85b, 86a, and 86b. See also ‘015 patent, column 12, line 58, which states that the head 82 is displaced toward the intermediate member 83. Accordingly, Applicants respectfully submit that the rejection of

¹ See, e.g., Figure 2, clamping mechanism 302 and clamping means 501 for holding the head 2 and the head support 3. See also pages 18-21 which describe the head support holding portion and the head supporting portion as well as the intermediate member supporting portion. See also page 33, lines 7-16 of the specification which describe how the head 2 is held by the clamping means 501. Further, see page 40, which describes how the intermediate member is released from the air chucks 405 and 406 and brought into close contact with the expected portions of the head 2 and the head support 3.

Claim 1 as anticipated by the '015 and '784 patents is rendered moot by the present amendment to Claim 1.

Applicants respectfully submit that the double patenting rejection of Claim 1 is rendered moot by the present amendment to Claim 1.

Thus, it is respectfully submitted that independent Claim 1 patentably defines over the '784 and '015 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

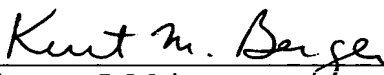
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

GJM:KMB\dt
I:\ATTY\KMB\248\S\248348US\248348US-AM.DOC



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Kurt M. Berger, Ph.D.
Registration No. 51,461